

IN RE: PETITION FOR SPECIAL HEARING • BEFORE THE
OF 8 Old Harford Road, 151 ft. • ZONING COMMISSIONER
OF Linwood Avenue •
8725 Old Harford Road •
9th Election District • OF BALTIMORE COUNTY
8th Councilmanic District •
Concetta Rivieri • Case No. 94-241-SPH
Petitioner •

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the subject property located at 7823-25 Old Harford Road near the Villa Cresta subdivision of Baltimore County. The Petitioner seeks relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a nonconforming use for four apartments within a D.R.S. zone.

Appearing at the public hearing held for this case was the Petitioner or property owner, Concetta Rivieri. Also appearing and testifying in support of the Petition was the property owner's husband, Giovanni Rivieri, and a former owner, Francis H. Swift. The Petitioner was represented by Edward Covahey, Jr., Esquire. Appearing in opposition to the request were Richard Gunzelman and Rocky F. Venegas.

Testimony and evidence presented was that the subject site is approximately .25 acres in area and is zoned D.R.S.5. As noted above, the site adjoins Old Harford Road, not far from that roadway's intersection with Taylor Avenue. The property is improved by a two story framed residential building. The building is improved with two apartments on the first floor and two apartments on the second floor. The apartment use and floor plan as documented as Petitioner's Exhibit No. 3. That floor plan shows that the two first floor apartments both contain two bedrooms, a living room, a kitchen and a bath. The second floor apartments, which are slightly smaller, each contain one bedroom, a living room, bath and kitchen.

Mr. Giovanni Rivieri testified that he and his wife acquired the property on January 2, 1973. Subsequently, he conveyed the property to his wife, solely, although he continues to manage the apartments. He testified that the four apartment units existed when the property was purchased in 1971. In the 23 years since that time, their use has continued and been uninterrupted. He also noted that each apartment has its own separate meter for utility usage; e.g., gas and electric, and each contains its own kitchen and bath facility. Mr. Rivieri testified that although he acquired the property with his wife in the early 1970s, he has been familiar with the site since approximately 1955. He testified that he once carpooled with a co-worker who lived in one of the apartments and frequently visited the premises as a social guest. As far back as his recollection in 1955, Mr. Rivieri testified that the property has been used to support four apartments. Moreover, he observed that as one views the construction, the water pipes and other features of the structure, it is clear that the building has always been intended to support four apartment units.

Also testifying was Francis Swift. Mr. Swift owned the property from 1965 thru 1973 when he sold the property to Mr. and Mrs. Rivieri. He corroborated Mr. Rivieri's testimony that the building was used to support four units continuously during his period of ownership.

Lastly, a notarized statement was received from George Langford, Jr. Mr. Langford was unable to attend the hearing because of his frail health and inclement weather. However, his signed statement indicates that the structure has existed since the 1930s and has been used to support four apartment units continuously since that time.

For their part, Messrs. Gunzelman and Venegas do not dispute the nonconforming use. However, they complain that the property is not kept

up and that same detracts from the neighborhood. As I noted at the hearing, the sole issue before me is the nonconforming use. Nonetheless, the Petitioner was cautioned that, irrespective of my approval of the Petition, the property cannot be utilized so as to conduct a public nuisance and should be kept up.

Nonconforming use is defined within Section 101 of the B.C.Z.R. Therein, the term is defined as "A legal use that does not conform to a use regulation for the zone in which it is located, or to a special regulation applicable to such a use." Frequently, this definition is applied to uses which are now illegal due to the adoption of a prohibiting zoning regulation in the B.C.Z.R. Designation of a particular use as a nonconforming use legitimizes same under the grandfathering provisions of the B.C.Z.R.

Moreover, the application of nonconforming uses is governed by Section 104.1 of the B.C.Z.R. Therein, it is provided that a nonconforming use may continue unless same is changed or abandoned for a period of one year or more.

Applying these regulations to the case at bar, it is clear that the use is not permitted in a D.R.S.5 zone. Thus, the Petitioner bears the burden of adducing testimony that the use existed prior to the adoption of the B.C.Z.R. in 1945. In this respect, the evidence and testimony offered was clear and uncontradicted. It was conclusively proven that the use of this subject structure to support four apartment units since the 1930s are well prior to the adoption of the first zoning code in Baltimore County. Moreover, the testimony and evidence presented was uncontradicted that the said use has continued uninterruptedly and unchanged since that time. Therefore, the Petition for Special Hearing and requesting designation of the use as legitimate and nonconforming must and should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of January 1994, that, pursuant to the Petition for Special Hearing, approval to permit a nonconforming use for four apartments within a D.R.S. zone, under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mnn

ORDER RECEIVED FOR FILING
Date 1/24/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 1/24/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 1/24/94
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 24, 1994

Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 94-241-SPH
Petition for Special Hearing
Property: 7823-25 Old Harford Road
Concetta Rivieri, Petitioner

Dear Mr. Covahey:

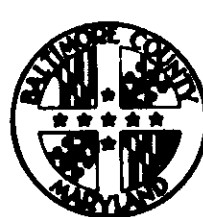
Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mnn
encl.
cc: Mr. and Mrs. Giovanni Rivieri
cc: Mr. Richard Gunzelman
cc: Mr. Rocky F. Venegas



Petition for Special Hearing
to the Zoning Commissioner of Baltimore County

for the property located at 7823-25 Old Harford Road
which is presently zoned DR 5.5

94-241-SPH

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a non-conforming use for four (4) apartments within a DR 5.5 zoning classification.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Current Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zip

Phone No.

Address

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State

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Phone No.

Address

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Phone No.

Legal Owner(s)

Concetta Rivieri

(Type or Print Name)

Signature

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receipt

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6190
Number: 239
FRULL.

Date: 12/2/93 94-241-SPH

CODES
C40 NON RES SPH FILING FEE \$250.00
OBD 1 SIGN POSTING \$35.00
TOTAL = \$285.00

FOROWNER RIVIERI
LLC 7823-25 OLD HARFORD RD.
111W114022010WRC \$285.00
PAID 12/02/93 12-02-93
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

94-241-SPH (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 239
Petitioner: Concetta Rivieri
Location: 7823-25 OLD HARFORD RD.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Bruce E. Covey
ADDRESS: 614 Wesley Avenue
Towson, MD 21204
PHONE NUMBER: (410) 666-1472

AJ:ggg (Revised 04/09/93)

TO: PUPPENT PUBLISHING COMPANY
December 30, 1993 Issue - Jeffersonian

Please forward billing to:
Bruce E. Covey
614 Wesley Avenue
Towson, Maryland 21204
410-666-1472

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-241-SPH (Item 239)
7823-25 Old Harford Road
52/5 Old Harford Road, 151' SW of Linwood Avenue
9th Election District - 6th Councilmanic
Petitioner(s): Concetta Rivieri
HEARING: WEDNESDAY, JANUARY 19, 1994 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve a non-conforming use for 4 apartments.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

10/20/93 94-241-SPH (410) 887-3353

NOTICE OF HEARING

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Arnold Jablon
ARNOLD JABLON, DIRECTOR

CON: Concetta Rivieri
Edward C. Covey, Jr., Esq.
Chris Booth

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 10, 1994

Robert E. Covey, Jr., Esquire
614 Wesley Avenue
Towson, Maryland 21204

RE: Case No. 94-241-SPH, Item No. 239
Petitioner: Concetta Rivieri
Petition for Special Hearing

Dear Mr. Covey:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are included to indicate the appropriateness of the zoning action requested, but to ensure that all petition, law, zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 9, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at a pending the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: December 27, 1993

FROM: Robert W. Bowling, Senior Engineer
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for December 27, 1993
Item No. 239

The Developers Engineering Section has reviewed the subject zoning item. Adequate onsite parking should be provided.

FWB:s

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

12-20-93

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: +239 (JLL)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
BOB SMALL, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 22, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Items No. 226, 227, 238, 234, 237, 238, 239, 240, 242, and 244

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3460.

Prepared by: *Jeffrey M. Long*
Division Chief: *Carol L. Kern*

PK/JLL:lw

ZAC.226/PZONE/ZAC1



700 East Joppa Road, Suite 900
Towson, MD 21286-5500

(410) 887-1800

Arnold Fabian
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CONCETTA RIVIERI

LOCATION: SE 1/4 OLD HARFORD RD., 1517SW OF LINWOOD AVE.

Item No. 244-SPH Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REC 29 1993
ZADM

REVIEWED BY: L. ROBERT F. SAUERWALD
Fire Department, PHONE 887-4881, MS-1102F

cc: File



Zoning Enforcement

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-1800

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Larry K. Schmidt
Zoning Commissioner
DATE: December 15, 1993

FROM: James H. Thompson - TF
Zoning Enforcement Coordinator

SUBJECT: ITEM NO.: 239
PETITIONER: Concetta Rivieri

VIOLATION CASE NO.: C-93-2785

LOCATION OF VIOLATION: 7823-25 Old Harford Road
Baltimore, Maryland 21234
9th Election District

DEFENDANTS: Concetta Rivieri
11201 Sherdale Drive
Kingsville, Maryland 21087

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME ADDRESS
Chris Booth 7827 Old Harford Road
Baltimore, Maryland 21234

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.
JHT/TF/hek

IN RE: PETITION FOR

CONCETTA RIVIERI

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-241-SPH

TO: GEORGE LAMFORD
2501 E. Joppa Road
Baltimore, Maryland 21234

SUBPOENA

You are hereby summoned and commanded to be and appear personally before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore County in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204

and to bring

on the 19 day of January 1994, regarding the above captioned case, for the purpose of testifying at the request of the Petitioner.

EDWARD C. O'NEAL, JR.
614 Bosley Avenue
Towson, Maryland 21204
(410) 828-9441
Attorney for Petitioner

Mr. Sheriff/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued:

IN RE: PETITION FOR

CONCETTA RIVIERI

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-241-SPH

TO: FRANCIS L. SWIFT
6718 Glenkirk Road
Baltimore, Maryland 21239

SUBPOENA

You are hereby summoned and commanded to be and appear personally before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore County in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204

and to bring

on the 19 day of January 1994, regarding the above captioned case, for the purpose of testifying at the request of the Petitioner.

EDWARD C. O'NEAL, JR.
614 Bosley Avenue
Towson, Maryland 21204
(410) 828-9441
Attorney for Petitioner

Mr. Sheriff/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued:

PETITIONER(S) SIGN-IN SHEET

94-241-SPH

NAME

ADDRESS

Giovanni Rivieri 11201 SHERDALE DR.
CONCETTA RIVIERI
FRANCIS L. SWIFT 6718 GLENKIRK RD.

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

94-241-SPH

NAME

ADDRESS

Christine C. Booth 2701
2701 LINDEN RD 21234
2701 LINDEN RD 21234

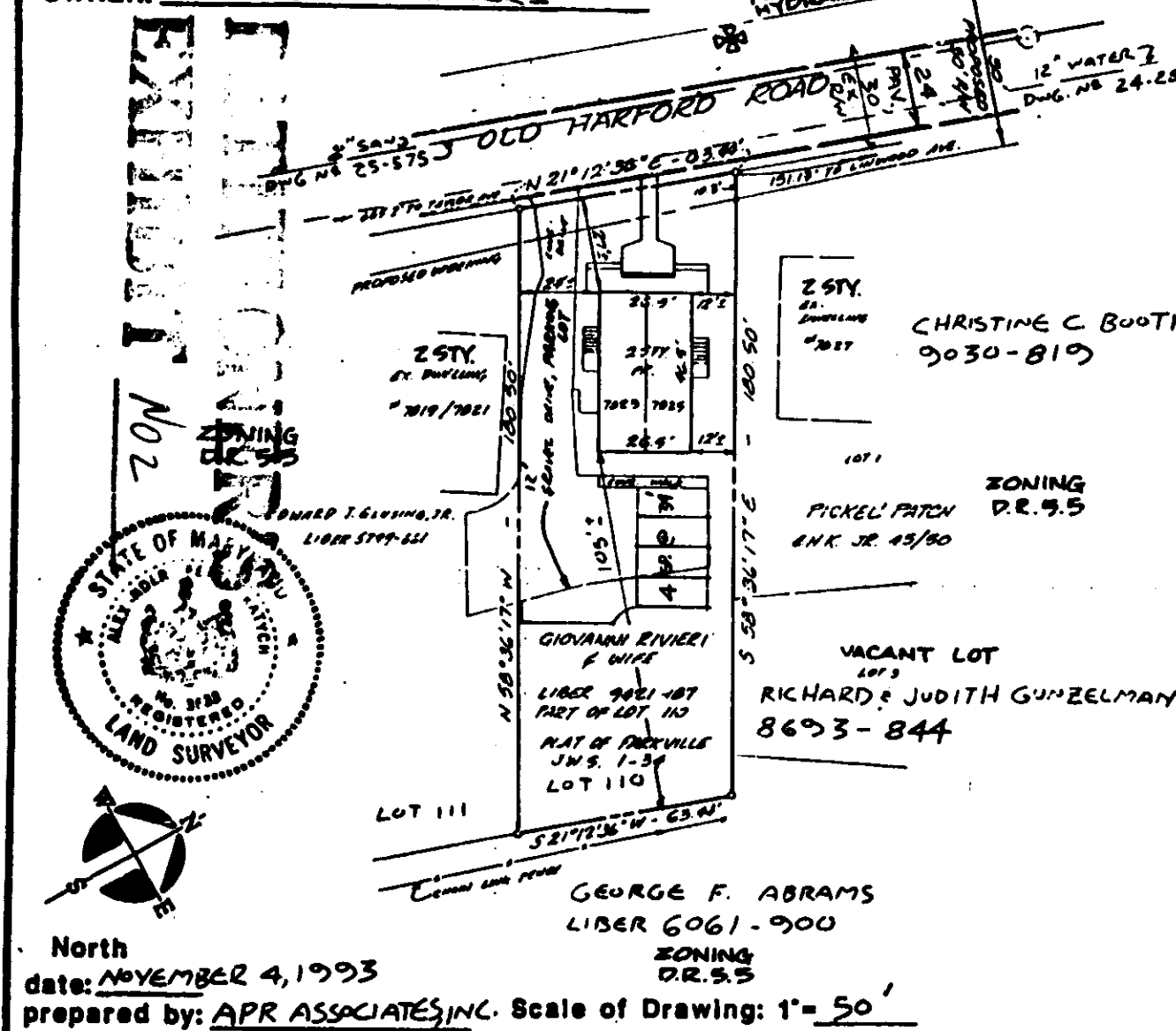
Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 7823-7825 OLD HARFORD RD see pages 2 & 3 of the CHECKLIST for additional required information

Subdivision name: PLAT OF PARKVILLE

plat books 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

OWNER: CONCETTA RIVIERI



North date: NOVEMBER 4, 1993 prepared by: APR ASSOCIATES, INC. Scale of Drawing: 1"=50'

94-241-SPH

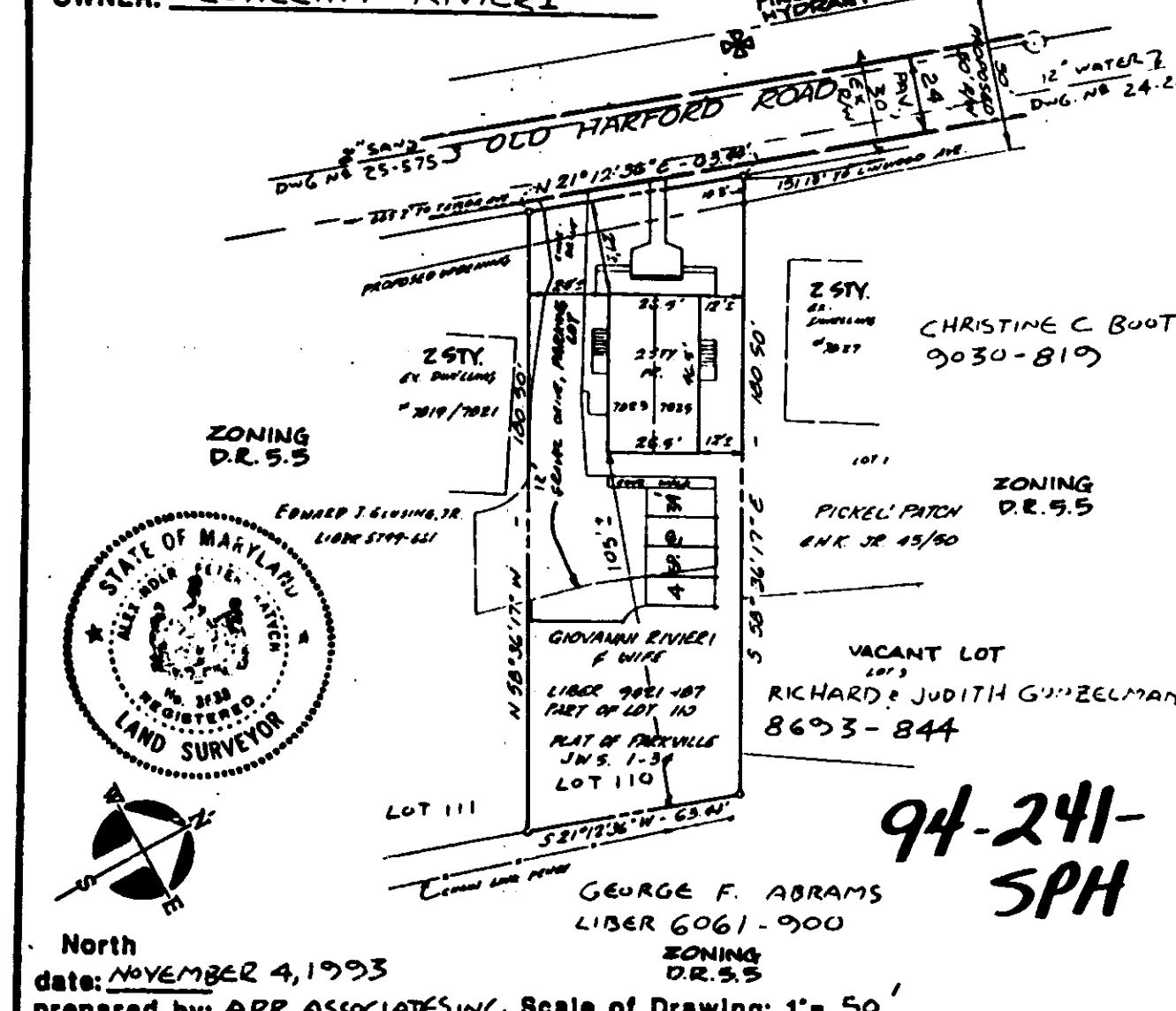
Plat to accompany Petition for Zoning Variance Special Hearing

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Subdivision name: PLAT OF PARKVILLE

plat books 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

OWNER: CONCETTA RIVIERI



North date: NOVEMBER 4, 1993 prepared by: APR ASSOCIATES, INC. Scale of Drawing: 1"=50'

94-241-SPH

Petitioner's Exp #1

ASSIGNMENT — LEASEHOLD — INDIVIDUAL GRANTOR — LONG FORM

This Assignment, MADE THIS

19th

day of August

15.00
5.00
0.00
20.00
10.00
10.00

in the year one thousand nine hundred and Ninety-Two
GIOVANNI RIVIERI and CONCETTA RIVIERI

of Baltimore County, State of Maryland
CONCETTA RIVIERI

of the second part.

WITNESSETH, That in consideration of the sum of "Love and Affection"

the said GIOVANNI RIVIERI and CONCETTA RIVIERI

do grant and assign to the said CONCETTA RIVIERI, her

personal representatives successors and assigns, the leasehold interest in all
that lot of ground situate in Baltimore County, Maryland, and
described as follows, that is to say:

BEGINNING for the same at a point on the southeasterly side of Old Harford Road at the distance of 665.20 feet northeasterly from the intersection formed by the southeasterly side of Old Harford Road and the northerly side of Taylor Avenue and running thence and binding on said road North 26 degrees 40 minutes East 63.44 feet to a stake, thence leaving said road and binding on the dividing line of Lot No. 110 South 49 degrees 17 minutes East 180.5 feet to a stake, thence running parallel to Harford Road South 26 degrees 40 minutes West 63.44 feet, thence binding on the dividing line of Lot No. 110 and Lot No. 111, North 49 degrees 17 minutes West 180.5 feet to the place of beginning.

BEING part of Lot No. 110 as shown on the Plat of Parkville, dated 1874, and recorded among the Land Records of Baltimore County in Plat Book J.W.S. No. 1, folio 31, CONTAINING 0.253 acres of land, more or less. The improvements thereon being now or formerly known as No. 7823-7825 Old Harford Road.

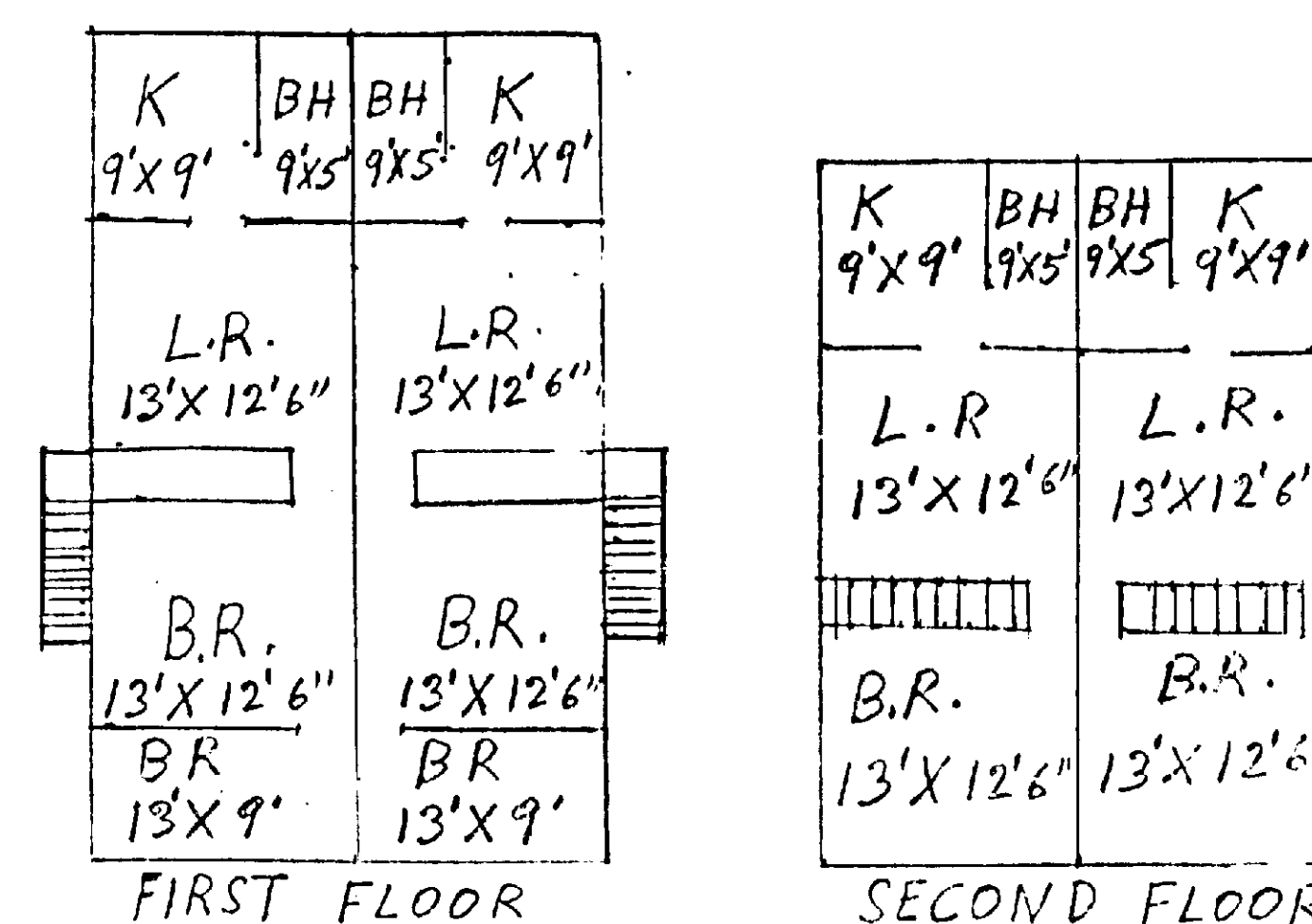
BEING the same property which by Deed of Assignment dated January 2, 1973 and recorded among the Land Records of Baltimore County in Liber E.H.R., JR., No. 5327, folio 281, was granted and assigned by Francis L. Swift and Barbara M. Swift, his wife, to Giovanni Rivieri and Concetta Rivieri.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
JR 10-1492

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE JR 10-1492

TRANSFER TAX NOT REQUIRED
BALTIMORE COUNTY, MARYLAND
Per [Signature]
Date 10-14-92 Sec 33.134.1

94-241-SPH



STORAGE

26'X4'6"

BASEMENT SCALE OF DRAWING: 1"=10'

PROPERTY ADDRESS: 7823-7825 OLD HARFORD
FOLIO 34 LOT 110

239

94-241-SPH

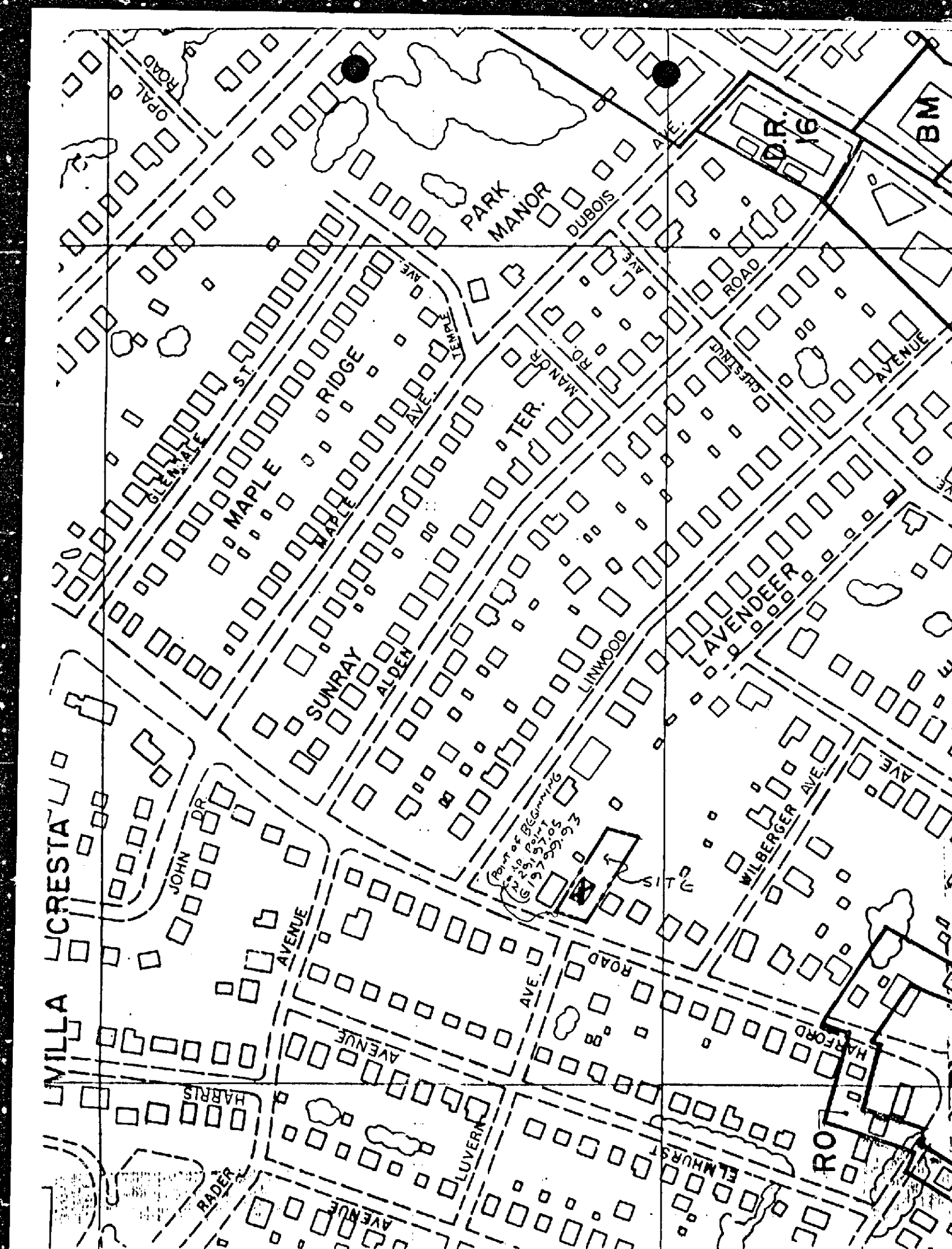
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 18th day of January, 1994, before me, a notary public in and for the state and county aforesaid, personally appeared GEORGE LANKFORD, JR., who made oath in due form of law as follows:

I reside at 2501 E. Joppa Road, Baltimore County, Maryland 21234. I have been a resident of Baltimore County my entire life and have received a subpoena to appear as a witness on January 19, 1994 with respect to the Zoning Special Hearing for the real estate at 7823-7825 Old Harford Road. Unfortunately, I am unable to attend the hearing on the advice of my cardiologist as I am 77 years of age and I am suffering from unstable angina, emphysema, and a prostate tumor.

I have been familiar with the property at 7823-7825 Old Harford Road since the early 1930s, and at that time, this property was divided into four separate apartment units. In the early 1950s, I had occasion to collect the rents for a period of two years from the four tenants that were in the property, and pursuant to an agreement with the then owner, I retained a portion of these rents in satisfaction of a debt owed me by the owner's son, Jessie Howard, Jr. This building was built by Jessie Howard, Sr., and at the time it was built, it contained four apartment units, and since I first became familiar with it in the early 1930s, it has continuously contained four separate apartment units.

PETITIONER'S EXHIBIT 4
George Lankford, Jr.
GEORGE LANKFORD, JR.



BALTIMORE COUNTY, MARYLAND
SCALE 1"=200' NE. 8-D
PARKVILLE

94-241-SPH

Subscribed to before me the date and year first above written.

My commission expires:
6-1-96

Notary Public
NOTARY PUBLIC

